



Billing Code 9110-12-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 65

Docket ID FEMA-2012-0003

[Internal Agency Docket No. FEMA-B-1248]

Changes in Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Interim rule.

SUMMARY: This interim rule lists communities where modification of the Base (1% annual-chance) Flood Elevations (BFEs) is appropriate because of new scientific or technical data. New flood insurance premium rates will be calculated from the modified BFEs for new buildings and their contents.

DATES: These modified BFEs are currently in effect on the dates listed in the table below and revise the Flood Insurance Rate Maps (FIRMs) in effect prior to this determination for the listed communities.

From the date of the second publication of these changes in a newspaper of local circulation, any person has ninety (90) days in which to request through the community that the Deputy Associate Administrator for Mitigation reconsider the changes. The modified BFEs may be changed during the 90-day period.

ADDRESSES: The modified BFEs for each community are available for inspection at the office of the Chief Executive Officer of each community. The respective addresses

are listed in the table below.

FOR FURTHER INFORMATION CONTACT: Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646-4064, or (e-mail) Luis.Rodriguez3@fema.dhs.gov.

SUPPLEMENTARY INFORMATION: The modified BFEs are not listed for each community in this interim rule. However, the address of the Chief Executive Officer of the community where the modified BFE determinations are available for inspection is provided.

Any request for reconsideration must be based on knowledge of changed conditions or new scientific or technical data.

The modifications are made pursuant to section 201 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are in accordance with the National Flood Insurance Act of 1968, 42 U.S.C. 4001 *et seq.*, and with 44 CFR part 65.

For rating purposes, the currently effective community number is shown and must be used for all new policies and renewals.

The modified BFEs are the basis for the floodplain management measures that the community is required either to adopt or to show evidence of being already in effect in order to qualify or to remain qualified for participation in the National Flood Insurance Program (NFIP).

These modified BFEs, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to

mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities. The changes in BFEs are in accordance with 44 CFR 65.4.

National Environmental Policy Act. This interim rule is categorically excluded from the requirements of 44 CFR part 10, Environmental Consideration. An environmental impact assessment has not been prepared.

Regulatory Flexibility Act. As flood elevation determinations are not within the scope of the Regulatory Flexibility Act, 5 U.S.C. 601-612, a regulatory flexibility analysis is not required.

Regulatory Classification. This interim rule is not a significant regulatory action under the criteria of section 3(f) of Executive Order 12866 of September 30, 1993, Regulatory Planning and Review, 58 FR 51735.

Executive Order 13132, Federalism. This interim rule involves no policies that have federalism implications under Executive Order 13132, Federalism.

Executive Order 12988, Civil Justice Reform. This interim rule meets the applicable standards of Executive Order 12988.

List of Subjects in 44 CFR Part 65

Flood insurance, Floodplains, Reporting and recordkeeping requirements.

Accordingly, 44 CFR part 65 is amended to read as follows:

PART 65—[AMENDED]

1. The authority citation for part 65 continues to read as follows:

Authority: 42 U.S.C. 4001 et seq.; Reorganization Plan No. 3 of 1978, 3 CFR, 1978 Comp., p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp., p. 376.

§ 65.4 [Amended]

2. The tables published under the authority of § 65.4 are amended as follows:

State and county	Location and case No.	Date and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Alabama: Mobile	Unincorporated areas of Mobile County (11-04-1740P)	November 24, 2011 December 1, 2011 <u><i>The Press-Register</i></u>	The Honorable Connie Hudson President, Mobile County Commission 205 Government Street Mobile, AL 36644	March 30, 2012	015008
Connecticut: Hartford	Town of West Hartford (10-01-2143P)	October 13, 2011 October 20, 2011 <u><i>The Hartford Courant</i></u>	The Honorable Scott Slifka Mayor, Town of West Hartford 50 South Main Street West Hartford, CT 06107	October 3, 2011	095082
Florida: Broward	City of Deerfield Beach (12-04-0283P)	December 2, 2011 December 9, 2011 <u><i>The Sun-Sentinel</i></u>	The Honorable Peggy Noland Mayor, City of Deerfield Beach 150 Northeast 2nd Avenue Deerfield Beach, FL 33441	November 22, 2011	125101
Florida: Broward	Town of Lauderdale-By-The-Sea (11-04-7642P)	November 3, 2011 November 10, 2011 <u><i>The Sun-Sentinel</i></u>	The Honorable Roseann Minnet Mayor, Town of Lauderdale-By-The-Sea 4501 Ocean Drive Lauderdale-By-The-Sea, FL 33308	October 26, 2011	125123
Idaho: Shoshone	City of Osburn (11-10-1374P)	October 27, 2011 November 3, 2011 <u><i>The Shoshone News Press</i></u>	The Honorable Robert McPhail Mayor, City of Osburn 921 East Mullan Avenue Osburn, ID 83849	March 2, 2012	160116
Idaho: Shoshone	Unincorporated areas of Shoshone County (11-10-1374P)	October 27, 2011 November 3, 2011 <u><i>The Shoshone News Press</i></u>	Mr. Jon Cantamessa Shoshone County Commissioner District 3 700 Bank Street, Suite 120 Wallace, ID 83873	March 2, 2012	160114
Illinois: Grundy	Unincorporated areas of Grundy County (11-05-8349P)	October 26, 2011 November 2, 2011 <u><i>The Paper</i></u>	Mr. Ron Severson Grundy County, Chairman of the Board 1320 Union Street Morris, IL 60450	November 10, 2011	170256
Illinois: Grundy and Livingston	Village of Dwight (11-05-8349P)	October 26, 2011 November 2, 2011 <u><i>The Paper</i></u>	Mr. Bill Wilkey Village of Dwight President 209 South Prairie Avenue Dwight, IL 60420	November 10, 2011	170423

State and county	Location and case No.	Date and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Iowa: Story	City of Ames (11-07-1005P)	October 27, 2011 November 3, 2011 <u><i>The Ames Tribune</i></u>	The Honorable Ann Campbell Mayor, City of Ames P.O. Box 811 515 Clark Avenue Ames, IA 50010	March 2, 2012	190254
Oregon: Deschutes	Unincorporated areas of Deschutes County (11-10-1524P)	November 29, 2011 December 6, 2011 <u><i>The Bend Bulletin</i></u>	Mr. Erik Kropp Interim Deschutes County Administrator 1300 Northwest Wall Street, 2nd Floor Bend, OR 97701	April 4, 2012	410055
Texas: Hays	City of Buda (11-06-4776P)	December 7, 2011 December 14, 2011 <u><i>The Hays Free Press</i></u>	The Honorable Sarah Mangham Mayor, City of Buda 121 Main Street Buda, TX 78610	April 12, 2012	481640
Washington: King County	City of Burien (11-10-0033P)	October 28, 2011 November 4, 2011 <u><i>The Highline Times</i></u>	The Honorable Joan McGilton Mayor, City of Burien 400 Southwest 152nd Street, Suite 300 Burien, WA 98166	November 4, 2011	530321
Wisconsin: Calumet	City of Brillion (11-05-3616P)	October 27, 2011 November 3, 2011 <u><i>The Zander Press</i></u>	The Honorable Gary Deiter Mayor, City of Brillion 225 Apollo Court Brillion, WI 54110	March 2, 2012	550036
Wisconsin: Calumet	Unincorporated areas of Calumet County (11-05-3616P)	October 27, 2011 November 3, 2011 <u><i>The Zander Press</i></u>	Mr. Jay Shambeau Calumet County Administrator 206 Court Street Chilton, WI 53014	March 2, 2012	550035
Wisconsin: Manitowoc	Unincorporated areas of Manitowoc County (11-05-7812P)	November 7, 2011 November 14, 2011 <u><i>The Herald Times Reporter</i></u>	Mr. Bob Ziegelbauer Manitowoc County Executive Manitowoc County Courthouse 1010 South 8th Street Manitowoc, WI 54220	October 28, 2011	550236

(Catalog of Federal Domestic Assistance No. 97.022, "Flood Insurance.")

Dated: March 15, 2012

Sandra K. Knight,

Deputy Associate Administrator for Mitigation,

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Federal Emergency Management Agency.

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